

123.10 Rules.

The administrator, with the approval of the commission and subject to [chapter 17A](#), may adopt rules as necessary to carry out [this chapter](#). The administrator's authority extends to, but is not limited to, the following:

1. Prescribing the duties of officers, clerks, agents, or other employees of the division and regulating their conduct while in the discharge of their duties.

2. Regulating the management, equipment, and merchandise of state warehouses in and from which alcoholic liquors are transported, kept, or sold and prescribing the books and records to be kept therein.

3. Regulating the purchase of alcoholic liquor generally and the furnishing of the liquor to class "E" retail alcohol licensees under [this chapter](#), and determining the classes, varieties, and brands of alcoholic liquors to be kept in state warehouses.

4. Prescribing forms or information blanks to be used for the purposes of [this chapter](#).

5. Prescribing the nature and character of evidence which shall be required to establish legal age.

6. Providing for the issuance and electronic distribution of price lists which show the price to be paid by class "E" retail alcohol licensees for each brand, class, or variety of liquor kept for sale by the division, providing for the filing or posting of prices charged in sales between class "A" beer and class "A" wine permit holders and retailers, as provided in [this chapter](#), and establishing or controlling the prices based on minimum standards of fill, quantity, or alcoholic content for each individual sale of alcoholic beverages as deemed necessary for retail or consumer protection. However, the division shall not regulate markups, prices, discounts, allowances, or other terms of sale at which alcoholic liquor may be purchased by the retail public or retail alcohol licensees from class "E" retail alcohol licensees or at which wine may be purchased and sold by class "A" and retail wine permittees, or change, nullify, or vary the terms of an agreement between a holder of a vintner certificate of compliance and a class "A" wine permittee.

7. Prescribing the official seals, labels, or other markings which shall be attached to or stamped on packages of alcoholic liquor sold under [this chapter](#).

8. Prescribing, subject to [this chapter](#), the days and hours during which state warehouses shall be kept open for the purpose of the sale and delivery of alcoholic liquors.

9. Prescribing the place and the manner in which alcoholic liquor may be lawfully kept or stored by the licensed manufacturer under [this chapter](#).

10. Prescribing the time, manner, means, and method by which distillers, vendors, or others authorized under [this chapter](#) may deliver or transport alcoholic liquors and prescribing the time, manner, means, and methods by which alcoholic liquor may be lawfully conveyed, carried, or transported.

11. Prescribing, subject to the provisions of [this chapter](#), the conditions and qualifications necessary for the obtaining of licenses and permits and the books and records to be kept and the remittances to be made by those holding licenses and permits and providing for the inspection of the records of all such licensees and permittees.

12. Providing for the issuance of combination licenses and permits with fees consistent with individual license and permit fees as may be necessary for the efficient administration of [this chapter](#).

13. Providing for the issuance of a waiver for an individual of legal age desiring to import alcoholic liquor, wine, or beer in excess of the amount provided in [section 123.22](#), [123.122](#), or [123.171](#), as applicable. The waiver shall be limited to those individuals who were domiciled outside the state within one year of the request for a waiver and shall provide that any alcoholic liquor, wine, or beer imported pursuant to the waiver shall be for personal consumption only in a private home or other private accommodation.

14. Prescribing the uniform fee to be assessed against a retail alcohol licensee, except a class "B", special class "B", or class "E" retail alcohol licensee, to cover the administrative costs incurred by the division resulting from the failure of the licensee to maintain dramshop liability insurance coverage pursuant to [section 123.92](#), [subsection 2](#), paragraph "a".

15. Prescribing the uniform fee, not to exceed one hundred dollars, to be assessed

against a licensee or permittee for a contested case hearing conducted by the division or by an administrative law judge from the department of inspections and appeals which results in administrative action taken against the licensee or permittee by the division.

[C35, §1921-f17; C39, §1921.017; C46, 50, 54, 58, 62, 66, 71, §123.17; C73, 75, 77, 79, 81, §123.21]

85 Acts, ch 32, §16, 17; 86 Acts, ch 1122, §7; 86 Acts, ch 1245, §739; 86 Acts, ch 1246, §731, 732; 2015 Acts, ch 30, §204

C2016, §123.10

2016 Acts, ch 1008, §2; 2018 Acts, ch 1060, §6; 2018 Acts, ch 1096, §1, 6, 7; 2019 Acts, ch 113, §3, 4; 2022 Acts, ch 1099, §21, 88

Former §123.10 transferred to §123.7; 2015 Acts, ch 30, §204

2022 amendment to subsections 3, 6, and 14 effective January 1, 2023; 2022 Acts, ch 1099, §88

Subsections 3, 6, and 14 amended